



Box 509
03 CO

BY HAND DELIVERY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jaeger, Stephan

Serial No.: 10/087,631

Group Art Unit: To be assigned

Filed: March 1, 2002

Examiner: To be assigned

For: A METHOD FOR THE
DETERMINATION OF A
NUCLEIC ACID USING A
CONTROL

Attorney Docket No.: 1803-335-999

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:

In response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 6, 2002 in connection with above-identified application, Applicants submit herewith a sequence listing in paper and computer readable format (CRF) in compliance with 37 C.F.R. § 1.821(c) and (e), an amendment incorporating "Seq ID No" designations, with attached Exhibit A, and return copy of the Notice to Comply With Requirements For Patent Applications Containing Nucleotide and/or Amino Acid Disclosures. The content of the paper and computer readable copies of the sequence listing submitted herewith are the same. Moreover, as the Sequence Listing merely presents nucleotide and/or amino acid sequences that appeared in the application as originally filed in accordance with 37 C.F.R. § 1.821-1.825, the Sequence Listing does not introduce new matter into the specification. Accordingly, Applicants respectfully request the entry of the paper and computer readable forms of the Sequence Listing into the application.

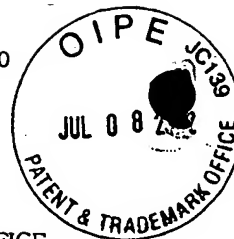
No fees are believed due in connection with this submission. However, if there is a fee due, please charge the required fee to the Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is attached.

Respectfully submitted,

Date: July 2, 2002


Rahul Pathak 42,983
(Reg. No.)

For: Jennifer Gordon (Reg. No. 30,753)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, N.Y. 10036-2711
(212) 790-9090



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

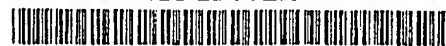
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,631	03/01/2002	Stephan Jaeger	1803-335-999

24341

Pennie & Edmonds, LLP
3300 Hillview Avenue
Palo Alto, CA 94304

CONFIRMATION NO. 3750

FORMALITIES LETTER



OC000000008248150

Date Mailed: 06/06/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

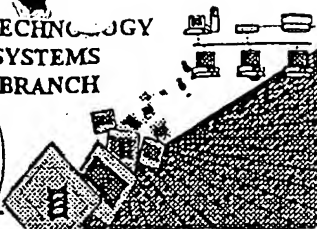
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

RAW SEQUENCE LISTING ERROR REPORT

BIOTECHNOLOGY
SYSTEMS
BRANCH

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/087,631A
Source: OIPO
Date Processed by STIC: 5-22-02

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER
VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002